

**Department of Veterans Affairs  
Office of Inspector General**

**Memorandum to the File  
Case Closure**

Alleged Hostile Work Environment  
VA Office of Information and Technology  
(2013-01419-IQ-0011)

The VA Office of Inspector General (OIG) Administrative Investigations Division reviewed an allegation that Mr. (b) (7)(C) (SES), (b) (7)(C), VA Office of Information & Technology (OI&T), created a hostile work environment for Mr. (b) (7) (SES), former (b) (7)(C) OI&T, Information Security. Mr. (b) (7) last workday at VA was (b) (7)(C), as he has transferred to an SES position with (b) (7) located in the state of (b) (7)(C).

On January 13, 2013, the VA OIG Hotline received a complaint from an anonymous complainant alleging that Mr. (b) (7) and Mr. (b) (7) together were improperly re-certifying approximately "600" expired VA system's Authority to Operate (ATO) by using "ill conceived process[es] and having signing parties where they will sign 50 to 100 ATO's a day." The complainant further alleged that Mr. (b) (7) and Mr. (b) (7) were rushing to get the ATO's signed because Mr. (b) (7) was due to transfer to a position with (b) (7) and that (b) (7)(C) was suppose to be Mr. (b) (7) last day at VA. The complainant also alleged that the security control assessment (SCA) process used by Mr. (b) (7)(C) and Mr. (b) (7) gave "a false sense that [the] systems [were] secure" and that it was impossible to perform 50 to 100 SCAs in one day.

The complainant further alleged that Mr. (b) (7) had taken over the duties as VA's (b) (7) in addition to designating himself as the (C) Designating Approving Authority for the ATOs. As such, the complainant alleged that Mr. (b) (7) had a "conflict of interest" and a "separation of duties" problem, because he was "essentially approving his own activity."

On January 28, 2013, Mr. (b) (7) sent an email to VA OIG officials and reported that he was "vehemently opposed to the process OIT [was using] to extend ATO's for 545 expired systems." Mr. (b) (7) further reported that Mr. (b) (7) was holding his transfer from VA to (b) (7) in abeyance until he signed at least two-thirds of the ATO packages even though he had already provided more than 30 days notice of his transfer to (b) (7). Mr. (b) (7) said that on Friday, (b) (7)(C), while under duress, he signed 268 ATO extensions with the caveat "w/reservation." Mr. (b) (7) also provided VA OIG officials with a copy of a memorandum dated January 14, 2013, which he claimed to have sent to the Assistant Secretary for Information and Technology. In his memorandum, Mr. (b) (7) discussed, among other things, 545 expired system ATOs and his concerns about Mr. (b) (7)(C)'s flawed SDA processes, which he said were, "extremely risky" and "jeopardizes the integrity of the information system program." Mr. (b) (7) also provided VA OIG with a copy of

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another memorandum he sent dated January 28, 2013, titled "Certification of System Security made Under Duress" addressed to the "Designated Approving Authority." In this memorandum, Mr. (b) (7) in part stated:

I attest that any document, artifact and other legal instruments from the date of January 25, 2013 and heretofore that bears my signature as the DAS, IS used to validate that VA information systems, processing, storing or transmitting sensitive Veteran information were signed by myself under duress.

Mr. (b) (7) further stated:

The circumstances in which I was coerced and intimidated by senior officials within the Office of Information Technology (OIT) to sign and attest to the security of VA systems only served to significantly diminish[ed] my ability to logically assess the process and make rational decisions about the protection of Veteran data entrusted to my care. I attest that as the DAS, IS, there is clear and present danger and risk of exposure and compromise of the sensitive data for perhaps hundreds of thousands to millions of Veteran[s]; all facilitated by coercion, intimidation and improper process to assess system security.

On January 31, 2013, Mr. (b) (7) was interviewed under oath by Mr. (b) (7)(C), (b) (7)(C) VA OIG Office of Audit and Evaluations, Information Technology and Security Audits, and Mr. (b) (7)(C), VA OIG Administrative Investigations Division. Mr. (b) (7) essentially recounted the information and events that he documented in his earlier communications with VA OIG officials and in his January 14 and January 28 memorandums to the (b) (7)(C) and Designated Approving Authority, respectively.

In addition, Mr. (b) (7) told us that about an hour before he met with us, while driving to VA OIG offices, he received a call from a subordinate telling him that Mr. (b) (7)(C) had directed the removal of all of the ATO documents signed by Mr. (b) (7) with the caveat "w/reservation" replacing them with new memorandums that were to be signed by another senior official in OI&T. This information was immediately provided to the Director of VA OIG Administrative Investigations Division (AID) who contacted Mr. (b) (7)(C) by telephone and confirmed with him that the documents previously signed by Mr. (b) (7) with the caveat "w/reservation" were being replaced because the VA Office of General Counsel opined that the certifications containing "w/reservation" were invalid. The AID Director informed Mr. (b) (7)(C) that any document previously signed by Mr. (b) (7) that was being replaced was considered to be evidence and requested that the records be retained and safeguarded until OIG could take possession of them. VA OIG obtained the documentation on February 1, 2013.

Mr. (b) (7) further told us that he had already filed a hostile working environment complaint against Mr. (b) (7)(C) with the VA Office of Resolution Management (ORM) and that ORM

had accepted his complaint for investigation. He further told us that Mr. (b) (7)(C) had finally provided (b) (7) with a transfer date and that his last working day at VA was February 8, 2013.

Contrary to the anonymous complainant's assertion that Mr. (b) (7) colluded with Mr. (b) (7)(C) in improperly certifying the ATO extensions, Mr. (b) (7) memoranda to the Assistant Secretary for OI&T and to the Designation Approving Authority reflected he was opposed to the SDA processes imposed by Mr. (b) (7) and was signing the ATO documentation under duress. Mr. (b) (7)(C) has informed us that he and his staff will review the allegations involving Mr. (b) (7) and the expired ATOs.

Furthermore, we will not investigate Mr. (b) (7) allegation that Mr. (b) (7)(C) created a hostile work environment since Mr. (b) (7) has now transferred to (b) (7) and ORM has accepted his complaint for investigation.

Based on the foregoing, this case is closed without a formal report or memorandum.

Prepared

(b) (7)(C)

(b) (7)(C)

2/14/13  
Date

Approved:

2/14/13  
Date